



# Western Interstate Energy Board/ WINB

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June 28, 1996

Richard A. Guida  
Associate Director for Regulatory Affairs  
Naval Nuclear Propulsion Program  
Department of the Navy  
2531 Jefferson Davis Highway  
Arlington, VA 22242-5160

Dear Mr. Guida:

On behalf of the Western Interstate Energy Board's (WIEB) High-Level Radioactive Waste Committee, we formally request an extension of the comment period for the *Draft Environmental Impact Statement for a Container System for the Management of Naval Spent Nuclear Fuel*. We also request that the locations suggested below be added to the list of sites where the Navy will hold public hearings concerning this Draft EIS.

A The High-Level Waste Committee, which is made up of 11 western states, has provided the federal government with western states' views on nuclear waste transportation issues for almost fifteen years. However, due to the fact that federal support for the Committee's work has been drastically reduced, Committee resources for analyzing and commenting upon the Navy's current Draft EIS are extremely limited. To allow for the appropriate level of review and analysis of this lengthy and important document, the Committee requests that the comment period be extended from 45 days to 90 days.

B In addition, past experience has demonstrated the critical importance of adequately involving the public in transportation decisions, especially in those states which could potentially be traversed by radioactive waste shipments. According to page B-31 of the Draft EIS, such states include: Oregon, California, Wyoming, New Mexico, Arizona, Colorado, and Nevada. The Committee therefore requests that, during the comment period, the Navy plan additional public hearings in La Grande, Oregon; Reno, Nevada; Las Vegas, Nevada; Denver, Colorado and Albuquerque, New Mexico.

Thank you for your consideration of these requests. If you have any questions, please call Doug Larson at (303) 573-8910.

Sincerely,

Daniel Nix, Co-Chair  
High-Level Radioactive Waste Committee

Richard Moore, Co-Chair  
High-Level Radioactive Waste Committee



## DEPARTMENT OF THE NAVY

NAVAL SEA SYSTEMS COMMAND  
2531 JEFFERSON DAVIS HWY  
ARLINGTON, VA 22242-5160

IN REPLY REFER TO

July 8, 1996

Mr. Daniel Nix  
Mr. Richard Moore  
Co-Chairs, High Level Radioactive  
Waste Committee  
Western Interstate Energy Board  
600 17th Street  
Suite 1704 South Tower  
Denver, Colorado 80202-5447

Dear Sirs:

Thank you for your letter of June 28, 1996, received in our office on July 5, 1996 requesting that the period for public comment on the Navy's draft Container System Environmental Impact Statement (EIS) on naval spent fuel storage and shipping containers be extended from 45 days to 90 days, and public hearings be held at five locations in addition to the six hearings held in early June at three locations in Idaho and Utah.

In response to previous requests, the Navy has agreed to extend the comment period to 60 days, ending July 18, 1996. A notice to this effect was published in the Federal Register on June 6, 1996, copy enclosed. An extension beyond that date cannot be provided since completion of the EIS supports decisions on naval spent fuel dry storage at the Idaho National Engineering Laboratory (INEL) required under a court-ordered settlement agreement among the Navy, Department of Energy and State of Idaho. Thus, comments received after July 18, 1996 will only be considered to the extent practical.

In regard to additional hearings, we do not believe additional hearings are needed because the locations selected adequately covered those regions where naval spent fuel will be loaded, stored, and possibly transported, consistent with the proposed action of the draft EIS.

To facilitate your Committee's review of this matter, however, let me call to your attention some of the key facts which place naval spent fuel shipments and storage into context:

1. History: Since 1957, there have been 655 container shipments of naval spent fuel made to INEL, without any accidents causing release of radioactivity. The DOE published in April 1995 a comprehensive programmatic EIS on spent fuel management in which the Navy was cooperating agency. In that EIS, detailed calculations were made covering incident-free and accident conditions involving naval spent fuel shipments; those calculations showed that for the approximately 600 container

shipments made as of that date, the total radiation exposure to the public was extremely small - causing less than one chance in 1000 of a single latent cancer fatality among the millions of people living along the transportation corridors from almost 40 years of shipments. (Thus, the annual average per-person risk was well below one chance in one billion.)

2. Amount: There are currently 12 metric tons (heavy metal) of naval spent fuel in existence, with a projection of 65 metric tons by the year 2035. By comparison, there are about 30,000 metric tons (heavy metal) of commercial spent fuel today, with projections of over 85,000 metric tons by the year 2035. Thus, naval spent fuel constitutes a very small fraction of the spent fuel inventories today and into the future which may be transported.

3. Nature: Naval nuclear fuel is designed for combat conditions, making it different in design and function than commercial or other nuclear fuel. For example, naval fuel can withstand battle shock loads well in excess of 50 times the force of gravity without damage. Moreover, naval fuel fully retains fission products within the fuel itself, a necessary design requirement given the close proximity of the crew to the reactor aboard ship. Finally, naval fuel operates in excess of twenty years between refueling, requiring it to possess long term structural integrity. All of these factors make naval spent fuel especially safe for storage and shipment.

4. Fuel Cycle: All naval spent fuel is shipped to the Idaho National Engineering Laboratory (INEL) for examination after service, which is why INEL is the only origination point evaluated in the Container System EIS for shipments to an interim storage facility or repository. Naval spent fuel is not stored at multiple locations under different conditions as is commercial spent fuel.

I trust that this information will be helpful to you in your evaluation of the draft EIS. If you have any questions, please contact me or Will Knoll of my staff at 703-602-8229.

Sincerely,



Richard A. Guida  
Associate Director  
for Regulatory Affairs  
Naval Nuclear Propulsion Program

Enclosure

**Patent and Trademark Office****Agency Information Collection Activities; Proposed Collection**

DOC has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 USC 35).

**Agency:** Patent and Trademark Office (PTO).

**Title:** Post Allowance and Refiling.

**Agency Approval Number:** 0651-0033.

**Form Numbers:** PTO/SB13, 14, 44, 50, 51, 52, 53, 54, 55, 56, 57, and PTO-85B.

**Type of Request:** Revision of a currently approved collection.

**Burden:** 63,400 hours.

**Number of Respondents:** 165,900 submissions.

**Avg. Hours Per Response:** Varies for each form from .2 to 5 hours.

**Needs and uses:** This collection of information is required to administer the patent laws pursuant to Title 35 of the U.S. Code concerning the issuance of patents and related actions. The affected public includes any individual or institution whose application for a patent has been allowed or who takes action as covered by the applicable rules. The information is collected when an application for a patent is allowed by PTO or if the grantee or others request reexamination or wishes to correct information contained in the patent.

**Affected Public:** Individuals or Households, Businesses or other for-profit institutions, Farms, State, Local or Tribal Government, Federal Government and Not-for-profit institutions.

**Frequency:** When an application for patent is allowed or at discretion of the individual.

**Respondent's Obligation:** Required to obtain Benefit.

**OMB Desk Officer:** Maya A. Bernstein, (202) 395-3785.

Copies of the above information collection proposal can be obtained by calling or writing Linda Engelmeier, Acting Departmental Forms Clearance Officer, Department of Commerce, Room 5327, 14th and Constitution Avenue, N.W., Washington, DC 20230.

Written comments and recommendation for the proposed information collection should be sent to Maya Bernstein, OMB Desk Officer, room 10236, New Executive Office Building, Washington, DC 20503.

Dated: May 30, 1996.

Linda Engelmeier,  
Acting Departmental Forms Clearance  
Officer, Office of Management and  
Organization.

[FR Doc. 96-14215 Filed 6-5-96; 8:45 am]

BILLING CODE 3810-16-P

**DEPARTMENT OF DEFENSE****Office of the Secretary****Defense Science Board Task Force on Information Warfare Defense; Notice of Advisory Committee Meeting**

**SUMMARY:** The Defense Science Board Task Force on Information Warfare Defense will meet in closed session on June 18-19, July 30-31, and August 29-30, 1996 at Science Applications International Corporation, McLean, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense through the Under Secretary of Defense for Acquisition and Technology on scientific and technical matters as they affect the perceived needs of the Department of Defense. At these meetings the Task Force will focus on protection of information interests of national importance through establishment and maintenance of a credible information warfare defensive capability in several areas, including deterrence. This study will be used to assist in analysis of information warfare procedures, processes, and mechanisms and illuminate future options in defensive information warfare technology and policy.

In accordance with Section 10(d) of the Federal Advisory Committee Act, P.L. No. 92-463, as amended (5 U.S.C. App. II, (1994)), it has been determined that these DSB Task Force meetings concern matters listed in 5 U.S.C. § 552b(c)(1)(1994), and that accordingly these meetings will be closed to the public.

Dated: May 31, 1996.

Patricia L. Teppings,  
Alternate OSD Federal Register Liaison  
Officer, Department of Defense.

[FR Doc. 96-14133 Filed 6-5-96; 8:45 am]

BILLING CODE 5000-04-M

**Department of the Army****Cargo Liability of Motor Carriers**

**AGENCY:** Military Traffic Management Command (MTMC).

**ACTION:** Request for Carrier Industry Comments.

**SUMMARY:** This notice supplements the notice published on March 14, 1996 (FR, Vol. 61, No. 51, page number 10566). The effective date of July 1, 1996 is postponed to allow consideration of comments on the proposed motor carrier liability for shipments of non-Guaranteed Traffic (GT) Freight All Kinds (FAK) shipments, described in the MTMC Freight Traffic Rules Publication No. 1A, Items 112, 113, 115, and 116.

**DATES:** Comments concerning the proposed motor carrier liability for shipments of non-GTFAK must reach Headquarters, Military Traffic Management Command, ATTN: MTOP-T-SR, 629 NASSIF Building, 5611 Columbia Pike, Falls Church, VA 22041-5050, by August 5, 1996.

**FOR FURTHER INFORMATION CONTACT:** Mr. Julian Jolkovsky, MTOP-T-SR, (703) 681-3440, or Mr. James Murphy, MTOP-T-S, (703) 681-3443.

**SUPPLEMENTARY INFORMATION:** The proposed liability, described on 61 FR 10566, is the same liability already in effect for GT shipments, in MTMC Guaranteed Traffic Rules Publication No. 50, Item 350.

Gregory D. Showalter,  
Army Federal Register Liaison Officer.  
[FR Doc. 96-14270 Filed 6-5-96; 8:45 am]  
BILLING CODE 3710-08-M

**Department of the Navy****Notice of Extension of the Public Comment Period for the Department of the Navy Draft Environmental Impact Statement for a Container System for the Management of Naval Spent Nuclear Fuel**

**SUMMARY:** The Department of the Navy (Navy) gave notice of the availability of the Draft Environmental Impact Statement (EIS) for a Container System for the Management of Naval Spent Nuclear Fuel in the May 14, 1996 *Federal Register* (61 FR 24293). The formal comment period commenced on May 17, 1996 (61 FR 24933) and was scheduled to close on July 3, 1996. The Navy has now determined that the public comment period will be extended to July 18, 1996.

The draft EIS was prepared in accordance with the requirements of the National Environmental Policy Act of 1969 (NEPA); Council on Environmental Quality regulations implementing NEPA, 40 CFR Parts 1500-1508; and the Chief of Naval Operations Environmental and Natural Resources Program Manual, OPNAV Instruction 5090.1B. As identified in the May 14,

1996 Federal Register notice, the Navy will conduct public hearings and receive comments on the draft EIS which addresses the need, alternatives, and environmental impacts of manufacturing containers; loading containers; handling, and storage of naval spent nuclear fuel at the Idaho National Engineering Laboratory (INEL); transportation of naval spent nuclear fuel loaded containers to a notional repository or centralized interim storage site; and the storage, handling, and transportation of certain radioactive waste associated with naval spent nuclear fuel management. The Department of Energy is a cooperating agency for this draft EIS. The draft EIS is available to the public in reading rooms and designated information locations, as identified in the May 14, 1996 Federal Register notice.

**DATES:** The Navy invites interested agencies, organizations, and the general public to provide comments on the draft EIS. The original 45 day formal comment period commenced on May 17, 1996 and was scheduled to close on July 3, 1996. The Navy is now providing a 60 day public comment period and all comments on the draft EIS are due by July 18, 1996. Oral comments will be accepted at the public hearings to be held at the Times and locations listed in the May 14, 1996 Federal Register notice. The final EIS is scheduled to be available no later than November 30, 1996.

**FOR FURTHER INFORMATION CONTACT:** Comments should be sent to: Mr. William Knoll of the Naval Nuclear Propulsion Program of the Department of the Navy, Code NAVSEA 08U, 2531 Jefferson Davis Highway, Arlington, VA 22242-5160, Telephone: 703-602-8229.

Dated: May 31, 1996.

M.A. Waters,  
LCDR, JAGC, USN, Federal Register Liaison Officer.

[FR Doc. 96-14305 Filed 6-5-96; 8:45 am]

BILLING CODE 3810-FF-P

## DEPARTMENT OF EDUCATION

### Research Priorities Plan; Invitation for Public Comment and Notice of Availability of the Proposed Research Priorities Plan: "Building on What We've Learned: Developing Priorities for Education Research"

**SUMMARY:** The Assistant Secretary for Educational Research and Improvement is developing a research priorities plan which shall recommend priorities for the investment of the resources of the Office of Educational Research and

Improvement over the next five-, ten-, and fifteen-year periods. The development of this plan is required by the Office of Educational Research and Improvement's authorizing legislation, the "Educational Research, Development, Dissemination, and Improvement Act of 1994." In accordance with 20 U.S.C. 6011(f)(2)(B), the Assistant Secretary has issued a proposed research priorities plan and seeks public comment on the content of the proposed plan.

**DATES:** All comments concerning this proposed plan must be received on or before August 5, 1996.

**ADDRESSES:** All comments concerning this proposed plan should be addressed to Judith I. Anderson, U.S. Department of Education, Office of Educational Research and Improvement, 555 New Jersey Avenue, NW., Room 510, Washington, DC 20208-5573. Comments may also be sent through Internet to (Judith\_Anderson@ed.gov).

**TO RECEIVE A COPY OF THIS PROPOSED PLAN AND FOR FURTHER INFORMATION CONTACT:** Tammra Gill. Telephone (202) 219-1556. Internet electronic mail address (research\_plan@inet.ed.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

### SUPPLEMENTARY INFORMATION:

#### Background

On March 31, 1994, President Clinton signed Public Law 103-227, which includes Title IX—the "Educational Research, Development, Dissemination, and Improvement Act of 1994" (the "Act") (20 U.S.C. 6001 et seq.). The Act restructured the Office of Educational Research and Improvement (OERI) and endowed it with a broad mandate to conduct an array of research, development, dissemination, and improvement activities aimed at strengthening the education of all students. The Act established the following five national research institutes within OERI:

- (1) The National Institute on Student Achievement, Curriculum, and Assessment;
- (2) The National Institute on the Education of At-Risk Students;
- (3) The National Institute on Educational Governance, Finance, Policymaking, and Management;
- (4) The National Institute on Early Childhood Development and Education; and

(5) The National Institute on Postsecondary Education, Libraries, and Lifelong Learning.

The Act authorized the Assistant Secretary to conduct research, development, demonstration, and evaluation activities to carry out the purposes for which these Institutes were established.

The Act also required the establishment of a National Educational Research Policy and Priorities Board (the "Board") to work collaboratively with the Assistant Secretary to identify priorities to guide the work of OERI.

### Statutory Requirements

The legislation directed the Assistant Secretary to work collaboratively with the Board to develop a research priorities plan that will recommend priorities for the investment of resources over the next five-, ten-, and fifteen-year periods, including as priorities those areas of inquiry in which further research, development and dissemination—

(a) is necessary to attain the National Education Goals;

(b) promises to yield the greatest practical benefits to teachers and other educators in terms of improving education; and

(c) will not be undertaken in sufficient scope or intensity by the other Federal and non-Federal entities engaged in Education research and development.

### Invitation To Comment

Interested persons are invited to submit comments including suggestions on how to strengthen this document. The Department is especially interested in hearing what commenters believe to be the most important and promising educational research opportunities for the next five, ten and fifteen years.

All comments submitted in response to this proposed plan will be available for public inspection, during and after the comment period, in Room 510, 555 New Jersey Avenue, NW., Washington, DC, between the hours of 8:30 a.m. and 4 p.m., Monday through Friday of each week except Federal holidays.

Dated: May 30, 1996.

(Catalog of Federal Domestic Assistance Number does not apply)

Sharon P. Robinson,  
Assistant Secretary for Educational Research and Improvement.

[FR Doc. 96-14164 Filed 6-5-96; 8:45 am]

BILLING CODE 4000-01-P

Commenter: Daniel Nix - Western Interstate Energy Board, Colorado

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Response to Comment:

- A. The Department of the Navy extended the comment period to 60 days and published a notice in the Federal Register to that effect.
- B. The Navy concluded that additional hearings were not needed; this was conveyed to the commenter by letter dated July 8, 1996. The letter explained that the locations selected covered those regions where naval spent nuclear fuel will be loaded and stored and representative regions where it might be transported, consistent with the proposed action covered in the Container System EIS. The EIS does not cover long-term interim storage or disposal of the spent nuclear fuel, which are the responsibility of the Department of Energy rather than the Navy. The EIS does use Yucca Mountain as a destination for purposes of analysis only, recognizing that location is the only one under the Nuclear Waste Policy Act being evaluated as a potential repository. The analysis does not presume, however, that Yucca Mountain will be found suitable as a repository or would be the site for a centralized interim storage facility.